

Your first electronic signature project

from theory to action plan



Arizona Secretary of State presentation
GITA conference room
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Your first electronic signature project

The plan to use of an Electronic Signature:

- Why we are talking about it?
- What is an electronic signature? How do they work?
- When is an electronic signature appropriate?
- How do you start?
- What is next?

Why we are talking about it?

A signature is a symbol (a mark) signifying intent.

What distinguishes a signature from an autograph is “the intention to authenticate” a writing.

The nature of that intent will vary with the transaction.

Signing when FedEx, UPS or whoever delivers a package to you is different than signing a mortgage which is different from signing a will.

Besides showing intent, a signature identifies the person signing.

And it may serve as evidence of the integrity of the document.

What are we talking about?

Signing a document.

Why we are talking about it?

Electronic Signature Statute (A.R.S § 41-132)
recognizes electronic signatures as the equivalent of
handwritten signatures when used by and with state
agencies.

The secretary of state is responsible for approving the
parties providing electronic signature services.

What are we talking about?

Signing an *electronic* document.

Why we are talking about it?

Administrative Rules adopted.

- The Secretary of State shall accept, and approve for use, technologies for electronic signature, in consultation with the Policy Authority and GITA, provided the technologies meet the standards set forth in the GITA standards for Electronic Signatures
- The office of the Secretary of State shall serve as the Policy Authority.
- The Secretary of State shall maintain an "Approved List of Certification Authorities" authorized to issue certificates for electronically signed communication with public entities in Arizona.
- Public entities shall only accept certificates from Certification Authorities that appear on the "Approved List of Certification Authorities" and are authorized to issue certificates by the Secretary of State.

Why we are talking about it?

GITA electronic signatures standard developed.

The Policy Authority Practices developed to define the roles and responsibilities of the parties involved.

Why we are talking about it?

Signing a paper document generally shows that an already identified person has made a particular promise.

With an electronic signature, the signature must also identify the person. There is no other reliable way to know that this is the person signing.

So an electronic signature must:

- identify the signer
- indicate the signer's intent
- ensure the integrity of the document

Why we are talking about it?

An electronic signature

shall be unique to the person using it,

shall be capable of reliable verification and

shall be linked to a record in a manner so
that if the record is changed the electronic
signature is invalidated.

Arizona Statute 41-132 B

This statute specifically defines the use of electronic signatures by and with state agencies and organizations. It is important to realize this means it also defines a signed *electronic document*.

Why we are talking about it?

ALSO:

You may want a signed document because there are statutory or regulatory requirements for a signature.

You might not care if someone signs but someone sometime thought it important.

(Is it *still* important? Or does the requirement need to change?)